

Q1: In relation to the board's major events policy, there are questions from members about whether they have as a board complied?

Q2: As it is a live/ongoing event, what does the board need to do to be in compliance of duties to fulfill its obligations?

A1&2: To clarify, the board is not deprived of its usual functions because there is an ongoing incident. The board has an ongoing responsibility for the provision of adequate and effective police services in the municipality. One of the ways a board does this on an ongoing basis is to ensure the chief of police is administering the service in accordance with the board's policies, including those policies that the board is generally responsible for establishing pertaining to the effective management of the police force.

The board has a general ongoing responsibility under s. 31(e) to direct the chief and monitor his performance; there could be ongoing elements of this through an event. The board can request whatever information they feel they need to ensure the chief is complying with his obligations, including complying with the policies of the board. This is an element I had previously discussed with the board's ED and will revisit at the meeting for clarity to ensure everyone is on the same page.

In this instance, there are a range of policies that the board has established that may be relevant including but not necessarily limited to:

- BC-1 Board/Chief Relationship
- CR-17 Major Events

It would be my recommendation that reviewing existing policies mid-event is not advisable. Certainly if the board wants to revisit any policies to ensure its objectives and priorities are being met, that is within its purview; however, the board should carefully consider whether revision to policies at this time is necessary as any revisions could be perceived to amount to disguised operational direction.

I would suggest that the board consider scheduling a policy review post-event.

In addition, the board's ED has also pulled together the following items that she sees as being helpful and hopeful could be addressed:

- Understanding their governance role – what they are responsible for vs. what they are not responsible for (the more tangible examples that can be provided, the better)
 - Covered through A1&2 above
 - The board is responsible for setting objectives and priorities, for monitoring the chief's performance, for ensuring the chief is administering the service in accordance with the board's policies performance of the chief.
 - The board is not responsible for policing the event.
 - An example of an issue where the board could take a position that impacts operations:
 - Injunctions – board can have its own view on this and can communicate its views to the municipality
 - Not a specific operational decision but it is a strategic position that could impact operational determinations.

- Information requirements to fulfill governance role
 - It is incumbent on the Board to ensure that it remains informed so that it can discharge its responsibilities under the *PSA*. The board can request whatever information they feel they need to ensure the chief is complying with his obligations, including complying with the policies of the board. This is an element I had previously discussed with the board's ED and will revisit at the meeting for clarity to ensure everyone is on the same page.
- How does the Board continue to fulfil its role as the event continues to unfold – what is their ongoing responsibility?
 - See A1&2 above
- What sort of 'measures of success' should the Board focus on in order to determine whether it is fulfilling its governance and oversight responsibilities
 - See A1&2 and in addition, to reiterate, I would recommend scheduling an after-incident report rather than considering success mid-event.
- Examples of what failure to exercise Board responsibilities looks like, as well as examples of what good Board governance in a major event looks like
 - Refer back to A1&A2 in terms of key board responsibilities
 - I would recommend that board members revisit the board policy manual, the legislative framework and key reference documents, including the Morden report. One of the key criticisms from that report (which was specific to those circumstances, TPS and TPSB) was that the board took too hands off of an approach in planning for the event and setting the objectives and priorities for the event.
 - I would advise the Board to remain as informed as is possible during such a dynamic event. Where concerns arise about security risks in connection with consultations between the chief and the board, the *PSA* sets the necessary parameters to facilitate the flow of such information through in-camera meetings (s.35(4)).